

Bill # / Patron	Summary	Status
HJ13 Loupassi	Study; Crime Commission; Ignition Interlock for DUI first offender; report. Requires the Virginia State Crime Commission to study the feasibility of requiring installation of an ignition interlock for a DUI first offender along with the issuance of an unrestricted operator's license by investigating, to the extent possible across Virginia jurisdictions, the disparity in the purposes for which restricted operator's licenses are issued by the courts, and the potential efficacy of the ignition interlock as a public safety measure as an alternative to the restricted license for a DUI first offender.	Referred to Committee on Rules
HJ139 Englin	Resolution; requesting the Governor to petition the DEA for rescheduling of marijuana; report. Requests that the Governor petition the Administrator of the Drug Enforcement Administration to amend regulations governing the scheduling of drugs to move marijuana from Schedule I to Schedule II, and provides that the Governor shall report on his progress in doing so no later than the first day of the 2013 Regular Session of the General Assembly.	Referred to Committee on Rules
HJ140 Englin	Study; revenue impact to Virginia of legalizing the sale of marijuana under conditions and restrictions; report. Establishes a joint subcommittee to study the potential revenue impact on the Commonwealth of legalizing the sale and use of marijuana, with certain restrictions and conditions, and selling it through Virginia's ABC stores.	Referred to Committee on Rules
HB49 Albo	Penalty for DUI manslaughter. Provides that the punishment for DUI manslaughter is to include a one-year mandatory term of confinement and raises the mandatory minimum term for aggravated DUI manslaughter from one to five years.	Referred to Committee for Courts of Justice
HB50 Albo	Penalty for DUI maiming. Provides that the punishment for DUI maiming, a Class 6 felony, shall include a mandatory minimum term of confinement of one year.	Referred to Committee for Courts of Justice
HB136 Kilgore	Drug Treatment Courts. Provides that drug treatment courts shall be established in the Counties of Buchanan, Dickenson, Goochland, Montgomery, Russell, Smyth, and Washington, and that a drug treatment court shall be established in the County of Wise to serve the City of Norton and the Counties of Lee, Scott, and Wise. The sources of funding for such courts shall be federal appropriations and other nongeneral fund appropriations as may be made available for the purpose.	Sub-Committee Recommends Laying on the Table for Voice Vote
HB279 Iaquinto	DUI ignition interlock limitations. Provides that a person who is convicted of DUI is required to have an ignition interlock on the first offense as a condition of a restricted license. Currently, the requirement for an ignition interlock is imposed only upon a second or subsequent offense or when the offender's BAC is above 0.15 percent. The bill also provides that the court may authorize a restricted license for travel to and from the interlock installer. The bill also adds passenger vehicles designed to transport more than 15 passengers to the types of vehicles that cannot be operated by a person who is required to have an interlock but who is otherwise permitted to operate a vehicle owned or provided by his employer in the course of his employment.	House Courts of Justice Sub-Committee: #1 Criminal
HB304 Crockett-	DMV Service Charge. Eliminates the \$5 statutory service charge fee for transactions carried out in DMV that could be carried out by mail, online, or over the telephone.	Sub-Committee Recommends Laying on the Table by Voice

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Stark		Vote
HB376 Pogge	Driver's licenses; storage of driver's license information. Prohibits the retention of any information contained on a Virginia-issued driver's license for any purpose unless otherwise required by law.	Stricken from Docket by Transportation by Voice Vote
HB394 Howell	Use of handheld personal communications devices; exceptions; penalty. Prohibits the use of handheld personal communications devices while operating a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth. The bill makes a violation of this prohibition a primary traffic offense.	Referred to Committee on Militia, Police, & Public Safety
HB404 Torian	Use of handheld personal communications devices while driving. Prohibits the use of handheld personal communications devices for any purpose other than to make or receive phone calls.	Referred to Committee on Militia, Police, & Public Safety
HB415 Watts	Operation of moving motor vehicle while distracted; penalties. Prohibits the operation of a moving motor vehicle while engaged in other activities, such as using a wireless telephone or other wireless telecommunications device without a hands-free apparatus, searching for an item, or personal grooming. Current law specifically prohibits the use of a handheld personal communications device to send or read an email or text message while operating a moving motor vehicle. The bill allows for certain exceptions, including the use of a citizens band radio. The offense would be a secondary offense punishable by a \$40 fine on the first offense and a \$100 fine for each subsequent offense.	Referred to Committee on Militia, Police, & Public Safety
HB467 Albo	Ignition interlock installation requirement. Removes the requirement that any person whose driving privilege is conditioned upon driving a motor vehicle only when there is an ignition interlock installed in the vehicle have such a device installed on any vehicle he owns in whole or in part. The requirement that any vehicle he operates be so equipped is not changed.	House Courts of Justice Sub-Committee: #1 Criminal
HB497 Dance	Use of handheld personal communications devices; penalty. Prohibits any use of a handheld personal communications device while operating a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth and makes such use a primary offense.	Referred to Committee on Militia, Police, & Public Safety
HB532 Orrock	Operation of moving motor vehicles while distracted; penalty. Prohibits the operator of a moving motor vehicle from being engaged in activities that are unnecessary to and that actually impair the operation of a motor vehicle. Certain exemptions apply. A violation of the statute would be a traffic offense.	Referred to Committee on Militia, Police, & Public Safety
HB560 Marshall, III	Driver's licenses. Prohibits issuance of driver's licenses to any person less than 21 years old unless he is either a high school graduate or has earned a GED.	Referred to Committee on Transportation
HB563 Marshall III	Drug treatment courts. Authorizes the establishment of a drug treatment court in the City of Danville.	House Courts of Justice Sub-Committee: #1 Criminal
HB647	Issuance of driver's licenses to minors. Requires that a licensee who is under the age of 18 at the time that	Referred to Committee on

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Habeeb	the ceremony is held to issue an original driver's license be accompanied by a parent, guardian, spouse, or other person in loco parentis. Under current law, a licensee must be accompanied at the ceremony if he is under the age of 18 at the time the application for licensure is made. This bill is a recommendation of the Committee on District Courts.	Transportation
HB652 Kory	Text messaging and emailing while driving; penalty. Allows police officers to issue citations to violators who text message or email while operating a moving motor vehicle. Currently, police officers must have cause to stop or arrest a driver for some other violation before issuing a citation.	House Militia, Police, & Public Safety
HB680 Surovell	DUI; exemplary damages. Provides that in an action for personal injury or death arising from the operation of a motor vehicle, engine, or train, a defendant's conduct will be deemed both so willful and wanton as to show a conscious disregard for the rights of others, thus entitling the plaintiff to an award of exemplary damages, if the defendant's blood alcohol concentration (BAC) was or exceeded 0.15 at the time of the incident or at the time the blood test was performed. Currently, only the defendant's BAC at the time of the incident is considered.	House Courts of Justice Sub-Committee: #2 Civil
HB688 O'Quinn	Special driver's license required for convicted methamphetamine offenders. Provides that any person convicted of a violation of § 18.2-248, 18.2-248.02, 18.2-248.03, 18.2-266, 29.1-738, or 46.2-341.24 when such offense involves the possession, manufacture, sale, or consumption of methamphetamine shall be required, if he is licensed to drive a motor vehicle in the Commonwealth, to have a special driver's license containing a unique identifying mark for a period of 18 months following his first licensure after the conviction indicating that he is a convicted methamphetamine offender. The same restriction would apply to a special identification card issued by the Department of Motor Vehicles.	Referred to Committee on Transportation
HB793 Rush	Drug treatment court. Authorizes a drug treatment court in the County of Montgomery.	Sub-Committee Recommends Laying on the Table for Voice Vote
HB797 Morrissey	Carrying a handgun while under the influence of alcohol or drugs; penalty. Creates a Class 1 misdemeanor for any person carrying a handgun in a public place while under the influence of alcohol or drugs and prohibits a person from obtaining a concealed handgun permit for five years following such a conviction. The prohibition applies regardless of whether the person is carrying the handgun openly or concealed. Current law makes it a Class 1 misdemeanor to carry a concealed handgun in a public place while under the influence of alcohol or drugs, but does not speak to openly carrying a handgun while under the influence.	Referred to Committee on Militia, Police, & Public Safety
HB854 Yost	Drug treatment court. Authorizes a drug treatment court in the County of Montgomery.	Sub-Committee Recommends Laying on the Table for Voice Vote
HB874 Rust	Text messaging and emailing while driving; penalty. Allows police officers to issue citations to violators who text message or email while operating a moving motor vehicle. Currently, police officers must have	Referred to Committee on Militia, Police, & Public

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	cause to stop or arrest a driver for some other violation before issuing a citation.	Safety
HB951 Bell	DUI ignition interlock. Provides that a person who is convicted of DUI is required to have an ignition interlock on the first offense as a condition of a restricted license. Currently, the requirement for an ignition interlock is imposed only upon a second or subsequent offense or when the offender's BAC is above 0.15 percent. The bill also adds passenger vehicles designed to transport more than 15 passengers to the types of vehicles that cannot be operated by a person who is required to have an interlock but who is otherwise permitted to operate a vehicle owned or provided by his employer in the course of his employment. The bill also provides for the court to allow a person to drive to and from the facility that installed or monitors the interlock system when he is subject to a restricted license.	House Courts of Justice Sub-Committee: #1 Criminal
HB957 Bell	Zero tolerance BAC after restoration of full driving privilege following DUI conviction. Provides that the zero tolerance (0.02%) blood alcohol content restriction imposed upon a person following a DUI conviction (i) during the pendency of a restricted license, shall continue for two years following restoration of driving privileges or (ii) when no restricted license is issued, shall be imposed for two years upon restoration of driving privileges following a suspension or revocation.	Referred to Committee on Transportation
HB962 Bell	Penalty for DUI maiming. Provides that the punishment for DUI maiming, a Class 6 felony, shall include a mandatory minimum term of confinement of one year.	Referred to Committee for Courts of Justice
HB1053 Anderson	Texting while driving. Removes the "secondary enforcement" provision from the statute prohibiting sending or reading email or text messages while driving.	Referred to Committee on Militia, Police, & Public Safety
HB1214 Lewis, Jr.	Driving on suspended license; when court may reduce charge. Provides that, upon the trial of any person charged with driving while his license is suspended whose full privilege to operate a motor vehicle is restored prior to trial, the court in its discretion may find the accused not guilty of driving on a suspended license but guilty of driving without an operator's license in violation of § 46.2-300.	Committee Referral Pending
SB88 Howell	Notice of suspension or revocation of driver's licenses. Requires the Department of Motor Vehicles to send initial notice of the suspension or revocation of a driver's license by certified mail.	Senate: Continued to 2013 in Transportation
SB113 McDougle	Issuance of driver's licenses to minors. Requires that a licensee who is under the age of 18 at the time that the ceremony is held to issue an original driver's license be accompanied by a parent, guardian, spouse, or other person in loco parentis. Under current law, a licensee must be accompanied at the ceremony if he is under the age of 18 at the time the application for licensure is made. This bill is a recommendation of the Committee on District Courts.	Senate: Reported from Transportation
SB116 McDougle	Court costs, fines, etc. Extends from 15 to 30 the number of days a person has to pay fines, costs, etc., before collection activity can begin or a driver's license can be suspended.	Referred from Courts of Justice to Finance
SB182 Stuart	Penalty for DUI manslaughter. Provides that the punishment for DUI manslaughter is to include a one-year mandatory term of confinement and raises the mandatory minimum term for aggravated DUI manslaughter from one to five years.	Referred to Committee for Courts of Justice

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SB206 Barker	Possession of open container of alcohol in a motor vehicle; penalty. Provides that no person shall possess an alcoholic beverage in the passenger area of a motor vehicle upon a public highway of the Commonwealth in other than the manufacturer's unopened, original container. The bill punishes violators with a civil penalty of \$25.	Referred to Committee for Courts of Justice
SB208 Barker	Administrative suspension of license. Changes the period of administrative license suspension upon arrest for a DUI from seven to 60 days and, for a second or subsequent offense, from 60 days until the time of trial.	Referred from Transportation to Courts of Justice
SB219 Barker	Text messaging and emailing while driving; penalty. Allows police officers to issue citations to violators who text message or email while operating a moving motor vehicle. Currently, police officers must have cause to stop or arrest a driver for some other violation before issuing a citation.	Senate: Reported from Transportation
SB289 Locke	Possession of open container of alcohol in a motor vehicle; penalty. Provides that no person shall possess an alcoholic beverage in the passenger area of a motor vehicle upon a public highway of the Commonwealth in other than the manufacturer's unopened, original container. The bill punishes violators with a civil penalty of \$25.	Referred to Committee for Courts of Justice
SB317 Carrico, Sr.	Drug treatment courts. Provides for the establishment of drug treatment courts in Buchanan, Dickenson, Goochland, Montgomery, and Russell Counties, and for the establishment of a drug treatment court in the County of Wise that will serve the Counties of Lee, Scott, and Wise, and provides that funding for each court shall be within existing state and local appropriations.	Reported from Courts of Justice with Amendments: Referred to Finance
SB378 McEachin	DUI ignition interlock. Provides that a person who is convicted of DUI is required to have an ignition interlock on the first offense as a condition of a restricted license. Currently, the requirement for an ignition interlock is imposed only upon a second or subsequent offense or when the offender's BAC is above 0.15 percent. The bill also adds passenger vehicles designed to transport more than 15 passengers to the types of vehicles that cannot be operated by a person who is required to have an interlock but who is otherwise permitted to operate a vehicle owned or provided by his employer in the course of his employment.	Referred to Committee for Courts of Justice
SB501 Watkins	Virginia Alcohol Safety Action Program moved to executive branch. Changes the Virginia Alcohol Safety Action Program from a legislative agency with its own legislatively appointed commission to an agency under the auspices of the Criminal Justice Services Board.	Referred to Committee for Courts of Justice